

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

March 26, 2001

DIVISION ONE

B142005 Los Angeles County, D.C.F.S. (Not for Publication)
 v.
 Kimberly S.

The order under review is affirmed.

Mallano, J.

We concur: Spencer, P.J.
 Ortega, J.

B144304 Los Angeles County, D.C.S. (Not for Publication)
 v.
 Ervin B.

The order under review is affirmed.

Mallano, J.

We concur: Spencer, P.J.
 Vogel (Miriam A.), J.

B141945 People (Not for Publication)
 v.
 Ascot

The judgment is affirmed.

Mallano, J.

We concur: Spencer, P.J.
 Vogel (Miriam A.), J.

March 26, 2001-Continued

DIVISION ONE (Continued)

[illegible]

The judgment is affirmed.

Ortega, Acting P.J.

We concur: Vogel (Miriam A.), J.
Mallano, J.

B143840 Los Angeles County, D.C.F.S. (Not for Publication)
v.
Sherri M.

The order of August 24, 2000, terminating parental rights over Lafayette M. is affirmed.

Ortega, Acting P.J.

We concur: Vogel (Miriam A.), J.
Mallano, J.

B139687 People (Not for Publication)
v.
Kennedy

The judgment is affirmed.

Spencer, P.J.

We concur: Vogel (Miriam A.), J.
Mallano, J.

March 26, 2001-Continued

DIVISION ONE (Continued)

B140143 People (Not for Publication)
v.
Jackson

The judgment is affirmed.

Spencer, P.J.

We concur: Vogel (Miriam A.), J.
Mallano, J.

B138638 People (Not for Publication)
v.
Driscoll

The judgment is affirmed.

Spencer, P.J.

We concur: Vogel (Miriam A.), J.
Mallano, J.

B138634 Los Angeles County, D.C.F.S. (Not for Publication)
v.
Nellie A.

The order is affirmed.

Spencer, P.J.

We concur: Ortega, J.
Mallano, J.

DIVISION ONE (Continued)

[illegible]

The trial court's jurisdictional finding that appellant committed the crime of simple kidnapping as alleged in count 2 of the petition is reversed. That portion of the dispositional order setting appellant's maximum term of confinement for rape is reversed. In all other respects, the dispositional order is affirmed. The matter is remanded for a new dispositional hearing in accordance with the views expressed herein.

Spencer, P.J.

We concur: Ortega, J.
Mallano, J.

B139855 People (Not for Publication)
v.
Evangelisti

We reverse Evangelisti's convictions on counts 4-6 and remand for a new trial on those counts and their related enhancements. We affirm Evangelisti's convictions on counts 1, 2, 7, and 8, their related enhancements, and the prior conviction allegations previously found true. We vacate the sentence on the affirmed counts and enhancements and remand for resentencing thereon.

Ortega, J.

We concur: Spencer, P.J.
Mallano, J.

DIVISION ONE (Continued)

B140562 Cousin, et al. (Not for Publication)
 v.
 Allstate Insurance Company

The judgment is affirmed.

Spencer, P.J.

We concur: Ortega, J.
 Vogel (Miriam A.), J.

B131559 City of Vernon (Not for Publication)
 v.
 Public Utilities Commission of the State of California
 (Atchison, Topeka & Santa Fe Railway, r.p.i.)

California Public Utilities Commission Decision No. 98-12-021, as
modified in California Public Utilities Commission Decision No. 99-04-
032, is affirmed.

Mallano, J.

We concur: Spencer, P.J.
 Ortega, J.

DIVISION TWO

B142608 People (Not for Publication)
 v.
 Norman Fredrick Rose

The judgment is affirmed.

Boren, P.J.

We concur: Nott, J.
 Todd, J.

DIVISION TWO (Continued)

B139143 Clifton E. Perrin (Not for Publication)

v.

Carol Perrin

In re the Marriage of Clifton E. and Carol Perrin

The judgment is reversed. Appellant(s) to recover costs.

Boren, P.J.

We concur: Nott, J.
 Todd, J.

B144083 Los Angeles County, D.C.F.S. (Not for Publication)

v.

James R.

In re Jane R., a person Coming under the Juvenile Court law

The judgment is affirmed.

Boren, P.J.

We concur: Nott, J.
 Cooper, J.

B142492 Los Angeles County, D.C.F.S. (Not for Publication)

v.

Bonnie M.

In re Alicia H. et al., persons coming under the Juvenile Court Law

The judgment is affirmed.

Boren, P.J.

We concur: Nott, J.
 Todd, J.

DIVISION TWO (Continued)

B134910 Wing Kwok (Not for Publication)
 v.
 Karen Au

The order under review is reversed. The matter is remanded to the trial court with directions to grant Kwok's motion for an order directing entry of judgment. Respondents to bear costs on appeal.

Boren, P.J.

We concur: Cooper, J.
 Todd, J.

B142277 People (Not for Publication)
 v.
 Ronnie Kevin Green

The judgment is affirmed.

Boren, P.J.

We concur: Nott, J.
 Todd, J.

B145230 People (Not for Publication)
 v.
 James Theodore Wicks

The order denying appellant's petition for a writ of error *coram nobis* is affirmed.

Boren, P.J.

We concur: Nott, J.
 Cooper, J.

DIVISION TWO (Continued)

B139233 William Stellar, M.D.
v.
Gallatin Medical Corporation

Filed order denying petition for rehearing.

B141232 Modern Paint & Body Supply, Inc.
v.
State Board of Equalization of the State of California

Filed order denying petition for rehearing.

DIVISION FOUR

B136636 People (Not for Publication)
v.
Dorrough

The LWOP sentence on count 3 is stricken as unauthorized. The sentence on count 3 is modified to provide for an indeterminate term of 15 years to life (§ 190, subd. (a)), plus the four-year middle term for the use enhancement (§ 12022.5, subd. (a)(1)). As modified, the judgment is affirmed.

Curry, J.

We concur: Hastings, Acting P.J.
Lewin, J. (Assigned)

DIVISION FIVE

B141401 Raymond Tse et al. (Not for Publication)
 v.
 Louis Goldstein

Th orders denying Louis Goldstein's special motion to strike the cross-complaint pursuant to Code of Civil Procedure section 425.16 and overruling his demurrer on grounds of noncompliance with Civil Code section 1714.10 are affirmed. Cross-complainants, Raymond Tse and Sing Kai Hong (U.S.A.) Co., Inc., are to recover their costs on appeal from cross-defendant, Louis Goldstein.

Turner, P.J.

We concur: Grignon, J.
 Willhite, J. (Assigned)

B137301 Cherie Ulstad et al. (Not for Publication)
 v.
 Saad Bakhaya et al.

The summary judgment is reversed. Summary adjudication is to be entered in defendants' favor on the second cause of action for slander per se. Plaintiffs, Cherie Ulstad and Raelene Torres shall recover their costs on appeal from defendants, Saad Bakhaya and Saad Bakhaya, M.D., Inc.

Turner, P.J.

We concur: Armstrong, J.
 Godoy Perez, J.

DIVISION SIX

B143012 Caris et al. (Not for Publication)
 v.
 Yang

The judgment is affirmed. Costs are awarded to Yang.

Perren, J.

We concur: Gilbert, P.J.
 Coffee, J.

DIVISION SEVEN

B140374 People (Not for Publication)
 v.
 Perello

The judgment is affirmed.

Woods, J.

I concur: Lillie, P.J.
I concur and dissent: Johnson, J. (Opinion)